

LAHIVE  
&  
COCKFIELD  
L L P

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DeCONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
JEANNE M. DIGIORGIO  
DEBRA J. MILASINCIC, Ph.D.  
NICHOLAS P. TRIANO, III  
WILLIAM D. DeVAUL

CHI SUK KIM  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
PETER C. LAURO \*  
DeANN FORAN SMITH\*\*

\* Admitted in NY only  
\*\* Admitted in MI only  
\*\*\* Passed the Patent Bar Examination

PATENT AGENTS  
MEGAN E. WILLIAMS, Ph.D.

TECHNICAL SPECIALISTS  
MARIA LACCOTRIPE ZACHARAKIS, Ph.D. \*\*\*  
CYNTHIA M. SOROOS  
PETER W. DINI, Ph.D.  
LAUREN C. FOSTER, D.Sc.  
EUIHOON LEE  
ERICK B. BERGLUND, Ph.D.  
LISA M. DIROCCO  
JENNIFER K. ROSENFELD  
JUDITH STONE-HULSLANDER, Ph.D.  
PETER S. STECHER

402 Rec'd PCT/PTO 21 AUG 2000

August 21, 2000

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

COPY

Re: U.S. Patent Application Serial Number 09/554,933  
Title: HUMAN PROTEINS HAVING TRANSMEMBRANE DOMAINS AND DNAs  
ENCODING THESE PROTEINS  
Inventors: Kato, Seishi et al.  
Filed: May 22, 2000  
Attorney Docket No.:GIN-6713CPUS

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

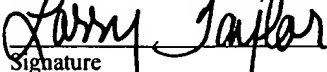
1. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905);
2. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (in duplicate);
3. Executed Declaration, Petition and Power of Attorney for Patent Application;
4. Request For One-Month Extension of Time (in duplicate);
5. Check No. 038564 for \$110.00 (extension fee) and Check No. 038563 for \$130.00 (surcharge); and
6. A prepaid Acknowledgment Postcard.

Please charge any necessary fees or credit any overpayments to our Deposit Account No. 12-0080.  
For this purpose, a duplicate of this sheet is enclosed.

"Express Mail" mailing label number EL008485438US

Date of Deposit August 21, 2000


I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231

  
Signature

Larry Taylor

Please Print Name of Person Signing

LAHIVE & COCKFIELD, LLP  
Attorneys at Law

By   
Chi Suk Kim, Esq.  
Reg. No. 42,728  
28 State Street  
Boston, MA 02109  
Tel. 617-227-7400  
Fax 617-742-4214

402 Rec'd PCT/PTO 21 AUG 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Seishi Kato et al.

Serial No.: 09/554,933

I.A. Filing Date: May 22, 2000

For: HUMAN PROTEINS HAVING TRANSMEMBRANE  
DOMAINS AND DNAs ENCODING THESE PROTEINS

Attorney Docket No.: GIN-6713CPUS

Group Art Unit:

Examiner:

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Sir:

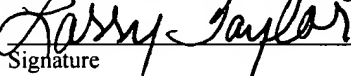
Responsive to the *Notification of Missing Requirements Under 35 U.S.C. 371* dated June 28, 2000, Applicants' attorney submits herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$130.00 (Check No. 038563), based on large entity status, is enclosed to cover the surcharge under 37 CFR 1.492(e). A copy of Form PCT/DO/EO/905 is also enclosed. A separate petition for an appropriate extension of time is also submitted concurrently herewith. Therefore, a check in the amount of \$110.00 (Check No. 038564), based on large entity status, is enclosed.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *For this purpose, a duplicate of this letter is enclosed.*

"Express Mail" mailing label number EL008485438US

Date of Deposit August 21, 2000


I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231

  
Signature

Larry Taylor

Please Print Name of Person Signing

LAHIVE & COCKFIELD, LLP  
Attorneys at Law

By   
Chi Suk Kim, Esq.  
Reg. No. 42,728  
28 State Street  
Boston, MA 02109  
Tel. 617-227-7400  
Fax 617-742-4214

Date: August 21, 2000

402 Rec'd PCT/PTO 21 AUG 2000

DOCKETED

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231July 28, 2000 - Missing Requirements  
Dec 28, 2000 - E.S.P. w/5 mos.

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/554933	KATO	S
GIN-6713CPUS		
INTERNATIONAL APPLICATION NO.		
PCT/JP98/05238		
I.A. FILING DATE	PRIORITY DATE	
20 NOV 98	25 NOV 97	
DATE MAILED: 28 JUN 2000		

AMY E MANDRAGOURAS  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.☒ Copy of the international application in:

- ☒ a non-English language.  
☐ English.

☒ Translation of the international application into English.☐ Oath or Declaration of inventors(s) for DO/EO/US.☐ Copy of Article 19 amendments.☐ Translation of Article 19 amendments into English.☐ The International Preliminary Examination Report in English and its Annexes, if any.☐ Translation of Annexes to the International Preliminary Examination Report into English.☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.☐ Assignment document.☐ Power of Attorney and/or Change of Address.☐ Substitute specification filed \_\_\_\_\_.☐ Verified Statement Claiming Small Entity Status.☒ Priority Document.☒ Copy of the International Search Report ☒ and copies of the references cited therein.☐ Other:

2. The following items
- MUST**
- be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a
- ☐
- large entity
- ☐
- small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes
- MUST**
- be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

- 5.
- ☐
- The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

☐ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

SHELBY VIGIL, PARALEGAL

Telephone: 703-305-3653

